



Local Plan

Focused Review Consultation Statement – Draft Submission

Regulation 22 (1) (c) (i) - (iv)

October 2013

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Covering Note

This Consultation Statement sets out how the process has met the requirements set out in the Council's Statement of Community Involvement (2013) and the requirements of Regulation 22 (1) (c) of the Town and Country Planning (Local Planning) (England) Regulations 2012. This Statement specifically addresses requirements (i) to (iv):

- (c) a statement setting out—*
 - (i) which bodies and persons the local planning authority invited to make representations under regulation 18,*
 - (ii) how those bodies and persons were invited to make representations under regulation 18,*
 - (iii) a summary of the main issues raised by the representations made pursuant to regulation 18,*
 - (iv) how any representations made pursuant to regulation 18 have been taken into account;*

This Consultation Statement is the first of two documents. The document sets out information relating to the Issues and Options (Regulation 18) consultation that took place between 18 March – 29 April 2013. The Report was made available alongside the draft Local Plan Focused Review Pre-Submission document when it went out for consultation in August 2013.

At the Issues and Options stage consultation, the Council outlined the policy areas which it considered needed to be reviewed. Respondents to the consultation were invited to comment using the following questions as a guide:

- Which policies in the Core Strategy and Development Policies require change to be in conformity with the NPPF?
- Is there a need for the deletion or addition of any policies to allow the wider plan to be in conformity with the NPPF?
- Are any other changes required?

The Sustainability Appraisal Scoping Report was published for consultation alongside the Issues and Options paper.

The comments received during the Issues and Options consultation directly influenced the production of the Proposed Submission Focused Review. This includes revisions to the centres and employment policies, which were not proposed for inclusion in the Focused Review at the Issues and Options stage.

This Statement forms part of the suite of 'submission documents' sent to the Secretary of State, via the Planning Inspectorate, for the formal examination of the Local Plan Focused Review.

Colchester Borough Council Local Plan

Focused Review

Report on Issues and Options Public Consultation

August 2013

Colchester Borough Council Local Plan Focused Review – Report on Public Consultation (Regulation 18)

1. Introduction

- 1.1 Colchester Borough Council is undertaking a Focused Review of its Local Plan to revise policies which can be readily amended to accord with the National Planning Policy Framework (NPPF) without the need to prepare further evidence in respect of those specific policies. This will then be followed by a Full Review which will include amendments to the spatial strategy, housing and employment targets, and site allocations as these issues require the support of updated evidence base work. This two-stage approach is considered appropriate as it will allow the Council to keep its plan as up-to-date as possible, in line with NPPF guidance highlighting the primacy of plans in guiding sustainable development.
- 1.2 The Council has consulted with a wide range of stakeholders to gather views on its approach. As required by the Town and County Planning (Local Development) (England) Regulations 2012 this statement sets out:
 - who was invited to be involved in the plan preparation
 - how they were invited to be involved in the plan preparation
 - a summary of the main issues raised and
 - how the issues have been addressed
- 1.3 The following statement addresses these points and is also in accordance with Colchester's Adopted Statement of Community Involvement (SCI). The SCI stipulates the level of consultation to be undertaken, which includes a wide range of media and publicity to engage the general public, hard-to-reach groups, community groups, councillors, businesses and governmental bodies.
- 1.4 The Council will prepare a separate summary of the main issues raised following the publication of the proposed submission documents under Regulation 19.

2. Background

- 2.1 The January 2013 Local Plan Committee agreed to carry out a Focused Review of its Local Plan and approved an initial six-week consultation period. Colchester BC accordingly carried out an Issues and Options consultation between 18 March – 29 April 2013 asking for views on which policies in the Council's Core Strategy and Development Policies should be part of the Focused Review.

- 2.2 Appendix 1 includes the list of consultees invited to respond to the consultation. The text of the letter sent to consultees at the Regulation 18 Issues and Options stage is attached as Appendix 2.
- 2.3 Respondents to the consultation were invited to comment on the plan using the following questions as a guide:
- Which policies in the Core Strategy and Development Policies require change to be in conformity with the NPPF?
 - Is there a need for the deletion or addition of any policies to allow the wider plan to be in conformity with the NPPF?
 - The consultation allowed for new ideas to be put forward.
- Consultees were also asked for views on the scope of the Sustainability Appraisal and the Habitats Regulation Assessment screening opinion.
- 2.4 The Council received 27 written responses which were reported to the 3 June Local Plan Committee. A table incorporating all of the comments and the Council's response is attached as Appendix 3.

Appendix 1

List of Consultees

Duty to Co-operate Consultees

Environment Agency
English Heritage
Natural England
Mayor of London
Civil Aviation Authority
Homes and Communities Agency
Primary Care Trust
Office of Rail Regulation
Transport for London
Integrated Transport Authority
Sustainable Environment & Enterprise
Highways Agency
Marine Management Organisation
Local Enterprise Partnership
Essex County Council
Suffolk County Council
Tendring District Council
Babergh District Council
Braintree District Council
Maldon District Council
Network Rail

Specific Consultees

Parish Councils

Abberton & Langenhoe Parish Council
Aldham Parish Council
Birch Parish Council
Boxted Parish Council
Chappel Parish Council
Little Horkesley Parish Council
Copford with Easthorpe Parish Council
East Donyland Parish Council
East Mersea Parish Council
Eight Ash Green Parish Council
Fingringhoe Parish Council
Fordham Parish Council
Great Horkesley Parish Council
Great Tey Parish Council
Langham Parish Council
Layer de la Haye Parish Council
Layer Marney Parish Meeting
Marks Tey Parish Council
Messing cum Inworth Parish Council
Myland Parish Council
Stanway Parish Council
Tiptree Parish Council
Wakes Colne Parish Council
West Bergholt Parish Council
West Mersea Town Council

Winstred Hundred Parish Council
Wivenhoe Town Council
Wormingford Parish Council
Mount Bures Parish Council
Dedham Parish Council
Layer Breton Parish Council

Adjoining Parish Councils

Alresford Parish Council
Ardleigh Parish Council
Brightlingsea Town Council
Bures St Mary Parish Council
Coggeshall PC
Earls Colne PC
East Bergholt Parish Council

Elmstead Parish Council
Feering Parish Council
Great Braxted Parish Council
Great Totham PC
Higham Parish Council
Kelvedon Parish Council
Lawford Parish Council
Nayland with Wissington Parish Council

Stoke By Nayland Parish Council
Stratford St Mary Parish Council
Tollesbury Parish Council
Tolleshunt D'Arcy Parish Council

Tolleshunt Major Parish Council

Tolleshunt Knights Parish Council
White Colne PC

Planning Inspectorate

Planning Inspectorate

Policing body and adjoining

Suffolk Constabulary
Essex Constabulary

(i) to whom the electronic communications code applies by virtue of a direction given under section 106(3)(a) of the Communications Act 2003,

(ii) who owns or controls electronic communications apparatus situated in any part of the LPA area

Colt Telecommunications
Eircom UK Ltd
Fibernet Ltd
Gemini Submarine Cable System Ltd
Global Crossing
Kingston Communications (Hull) Plc
Lancaster University Network Services Ltd
Neos Networks Ltd
NTL Group Ltd
Opal Telecom Ltd
Orange Personal Communications Ltd
Regional Communications Team O2 Airwave
SSE Telecommunications Ltd
Telia Sonera International Carrier Ltd

Vtesse Networkds Ltd
Vodafone
Easynet Telecommunications Ltd
Gamma Telecom Holding Ltd
Hutchison Network Services UK Ltd
NWP Spectrum Ltd
Omne Telecommunications Ltd
T-Mobile (UK) Ltd
Wireless World Forum Headquarters

(ii) a person to whom a licence has been granted under section 6(1)(b) or (c) of the Electricity Act 1989(h);

EDF Energy

(iii) a person to whom a licence has been granted under section 7(2) of the Gas Act 1986(a);

British Gas Connections Ltd

(iv) a sewerage undertaker; and

Anglian Water

(v) a water undertaker;

Affinity Water
Thames Water Utilities Ltd
Essex & Suffolk Water
South East Water Plc

All Colchester Borough Councillors

Health

Mid Essex Clinical Commissioning Group

General Consultees

Iceni Projects Ltd	Peyton Tyler Mears
The Stanway School	Levvel Ltd
Hazlemere Infants School & Nursery	The Sixth Form College, Colchester
Old Heath County Primary School	R H M Joinery
Greenstead & St Andrews Nursery & Infants	Fenn Wright
St Georges New Town Junior School	Leith Planning
Equality Estates	Rose of Colchester Ltd
AMPRESS	Diocese of Chelmsford Colchester Area team
CRCL	Colchester Zoo
Barton Willmore	Facility Development Manager
Plater Claiborne Architecture & Design	R & P Taylor Carpets
Essex Roofing Company Ltd	Paragon Legal Services Ltd
Higgins Construction Plc	MOD - Estates
Colchester and North East Essex Building Preservation Trust	Defence Estates
Stanley Bragg Partnership	Saxon House Ltd
Warren Insulation	The Theatres Trust
Peldon Village Hall Management Committee	Dentistry
The Wine Centre	Fenn Wright
ADP	Whybrow Chartered Surveyors
Bernard Jenkin MP For North Essex	MOD (Colchester Garrison)
Bob Russell MP for Colchester	Januarys
Priti Patel MP for Witham	D F Clark Contractors Ltd
Malting Green Surgery	Lawson Planning Partnership Ltd
Colchester Area Community Church	Tesco

Queen Elizabeth Hall
 McDonald's Colchester
 Sustainable Environment Consultants Ltd
 Colchester CVS
 Colchester Furniture Project (The Shake Trust)
 Five Poets Residents Association
 East Anglian Chambers
 Shelter
 Colchester Conservative Club
 Colchester Credit Union Ltd
 Fitness First
 Living Streets, Colchester
 Knowles Associates Ltd
 The C M Cadman Group Ltd
 Turley Associates
 Bags o Fun
 Boydens
 Essex County Cricket Club
 Parsons Heath Residents Association
 Owen Partnerships
 DPDS Consulting Group
 Indasa Abrasives (UK)Ltd
 Intel
 CPRESsex
 Edward Gittins & Associates
 Barton Willmore
 Gladedale Group
 Forestry Commission
 Colchester Chamber of Commerce
 Harwich International Port
 Road Haulage Association
 Transport for London
 Colchester PCT
 Countryside Properties
 Evening Gazette/Essex County Standard
 Planning Potential
 Greenstead Library
 Wildlife and Countryside Link
 Rydon Homes Ltd
 Wilkin & Sons Ltd
 Ian R Matthers B.S & D
 Cadman Contracts
 Colchester Archaeological Trust
 Colchester & Tendring Women's Refuge
 Colchester Arts Centre
 Colne Housing Society
 Disability East (EDPA)
 National Playing Fields
 Help the Aged
 McLean Design Services Ltd
 Ringway Group Ltd
 The Rose and Crown Hotel
 The Royal Association For Deaf People
 RWCL

Plater Claiborne Architecture & Design
 NTR Planning
 FMA Ltd
 St Mary Residents Association
 Rural Community Council of Essex
 Stephen Egerton Associates
 Icen Homes
 Naylor Property Ltd
 Stephen Hayhurst Chartered Town Planner
 St Johns Church
 Colchester Access Group
 Atkins Telecom
 P Tuckwell Ltd
 ASM Logistics
 Trevor McHugh Planning and Regeneration Consultan
 Robinson and Hall
 St Mary's Church
 Colchester Cycling Campaign
 British Telecom
 Riverside Residents Association
 Bidwells
 Wivenhoe Conservation Area
 Jehovah's Witnesses Planning Consultant
 Twenty 16 Design
 TACMEP
 Ray Chapman Associates
 Sustrans
 Pomery Planning Consultants
 Fusion Online Ltd
 Taylor Wimpey
 Bellway
 Persimmon Homes
 Rose Builders
 Harding Homes
 Hopkins Homes
 Bellway
 Castle and Roman Road Residents Association
 Dutch Quarter Association
 Colchester Association of Local Councils (CALC)
 Colchester Baptist Church
 David Miller Associates
 Siting Strategy Admin Officer Office for Nuclear Regul
 Lexden Restorations Ltd
 Strood WI
 Haven Gateway Partnership
 South East Local Enterprise Partnership
 Kirkwells
 Peacock & Smith
 Hanover Bloc
 FFT Planning
 Fusion Online Ltd
 Evolution Planning
 Beacon Planning Ltd
 Commercial Estates Group

Sloppy Joes
 Gypsy & Traveller Law Reform Coalition
 Catten College
 Mersea Homes
 Colchester Croquet Club
 Hythe Residents Association
 Lexden Restorations Ltd
 Indigo Planning
 Britannia Storage Systems Ltd
 Mayfair Investments
 Colchester & District Jewish Community
 Countryside Properties
 Colchester Civic Society
 Mumford & Wood Ltd
 Hills Residential Ltd
 Beaumont Seymour & Co
 Colchester Mind
 BAP Transport Ltd
 La Farge Aggregates Ltd
 Hall Duncan Associates
 Flakt Woods Ltd
 Bidwells
 Addendum Ltd
 Colchester Learning Shop
 James & Lindsay Life & Pensions Ltd
 CAPITA
 BDG Design (South) Ltd
 Marguerite Livingstone Associates
 Ramblers Association - Colchester
 Corporate Associates Ltd
 Loofers Food & Coffee Place
 Newman Commercials
 R G Carter Colchester
 The Food Company
 Pertwee Estate Ltd
 Scott Wilson
 HLL Humberts Leisure
 Dedham Vale AONB Project
 The JTS Partnership
 Sales Manager
 Nathaniel Lichfield & Partners
 Strutt & Parker LLP
 Nicholas Percival
 Fisher Jones Greenwood
 T J Evers Ltd
 Orchard Baptist Church
 LCO Consulting Ltd
 Hutton Construction Ltd
 Atisreal UK
 Stanway Residents Association
 Colchester Friends of the Earth
 Essex & Suffolk Gliding Club
 Welshwood Park Residents Association
 Entec UK Ltd

CPBigwood
 BREEAM
 Martin Robeson Planning Practice
 Whirledge & Nott
 Essex Wildlife Trust
 Rapleys LLP
 WYG Management Services
 Lovemyland
 Januarys Consultant Surveyors
 The Coast Road Association
 CALC
 CF Anderson & Son Ltd
 Freight Transport Association
 Long Tall Sally
 Prettygate Library
 Tiptree Library
 West Mersea Library
 Colchester Rural Age Concern
 Planning Design Building Consultant
 The Craftsman
 Army Welfare Services
 F & C Commercial Property Holdings Ltd
 Goojerat Barracks
 The Planning Bureau Ltd
 Tesco Stores Ltd
 Friends of the Minorities
 Stanway Library
 Dr D Bateman & Partners
 The Strood WI
 Wivenhoe Dental Practice
 Priory Residents Association
 Smythies Avenue Residents Association
 Transco
 Merchant Projects
 Keith Mitchell Building Consultancy Ltd
 Federation of Small Businesses
 St Johns Residents Association
 Colchester Bus Users Support Group
 C2 Fire Protection
 Planware
 Mersea Island Society
 Chartered Surveyors
 Purcell Miller Tritton
 Defense Estates
 Underwoods of Colchester
 Chairman Mersea Island Trust
 Prettygate Dental Practice
 Turners for Men & Women Ltd
 Layer Road Surgery
 Colchester Institute
 Godden & Rudling Building Services
 Royal Yachting Association (Eastern Region)
 Seatrade
 St Johns Ambulance

Morley Richards & Ablewhite
Headteacher Phillip Morant School
Goojerat Barracks
Womens National Commission
Rennison Consultants
AMPRESS
Essex County Council
Phase 2 Planning
Strutt & Parker
Barton Willmore
Robinson & Hall LLP
Boyer Planning

Allegro Music
Essex Fire & Rescue Services
Rollerworld
Wivenhoe Sailing Club
Headteacher The Gilbert School
Shea Properties
Chairman/General Secretary J Sainsbury Veterans Co
Priory Residents Association
Wivenhoe Dental Prattice
The Strood WI
Dr D Bateman & Partners
Fairhurst

Colchester Borough Council
Focused Review of Local Plan Policies

Colchester Borough Council is undertaking a focused review of its planning policies which is intended to ensure that policies are up-to-date, appropriate, and comply with the National Planning Policy Framework (NPPF).

In March 2012 the Government published the National Planning Policy Framework and the Town and Country Planning (Local Planning) (England) Regulations 2012. Each local planning authority is required to produce a Local Plan for its area which can be reviewed in whole or in part to respond flexibly to changing circumstances. The Government gave local authorities a twelve-month transition period during which non-compliant policies could continue to be given full weight (Annexe 1, para 214), but as that period is now coming to an end, authorities need to have regard to their increasing vulnerability to non-compliant policies.

The Council is in the fortunate position of having a full set of recently adopted policy documents that broadly accord with the principles of sustainable development in the NPPF, thus minimising the work needed to bring its policies into compliance. These include the Core Strategy adopted in December 2008, the Development Policies and Site Allocations in October 2010 and the associated Proposals Map.

Only those policies that clearly do not comply with the advice within the NPPF or those that are in need of updating form part of the scope of the Focused Review. This **does not** include any amendments to its spatial strategy and its housing and employment targets and allocations. New site allocations will not be made until the comprehensive review of the Local Plan is undertaken to extend the life of the plan to 2031 and beyond.

The consultation period on the Focused Review will run from 18 March 2013 until 5pm on 29 April 2013. Copies of the consultation document and supporting information are available on the Council's website, Colchester Library and in the Customer Service Centre.

Please take the time to read the document and let us know what you think. For more information and to comment on the document please follow the link below:

www.colchester.gov.uk/planningconsult

Appendix 3 - Local Plan Focused Review
Summary of Responses – Regulation 18 Consultation March/April 2013

Issue	Respondent Name	Comment	CBC Response
CORE STRATEGY			
General	Babergh District Council	No particular cross-boundary concerns relating to the focused review at this stage.	Noted.
	Kelvedon Parish Council	Before any new development is considered which may have traffic implications for Kelvedon and Feering, Kelvedon Parish Council would like to see consideration given to improving/upgrading existing road links, in particular the A12. The Parish Council would be resistant to any further large development in Tiptree whilst the current road issues and problems with the A12 still exist.	Noted. No new allocations are proposed as part of the focused review. As part of its Duty to Cooperate, the Council will work with adjoining authorities and statutory bodies to address longer term issues around road capacity and transport.
	Little Horkesley Parish Council	LHPC would welcome visibly stronger application of the local considerations proposals inherent in Village Design Statements, including our own, when applications for development are received by the Planning Authority.	Noted. The introduction of Neighbourhood Plans has provided a stronger mechanism for ensuring that local views will be considered.
	Jean Dickinson	<p>New development policy is requested to introduce formal planning support for local charities in the allocation of sites for delivery of local services, under a right to buy at pre-development values, or under section 106 negotiations. This would widen the arrangements already available under the NPPF to neighbourhoods with adopted plans. This is an urgent requirement before all major developments areas already identified around the borough are too far down the planning process.</p> <p>New independent panel should be formed as a formal planning consultee, drawn from a pool of approximately 12 local people with experience covering all current sustainability best practice and scoring systems in social, economic or environmental matters. This wouldn't preclude comment from similar current statutory consultees, but would provide evaluation of their contributions in a transparent, consistent and sustainable</p>	Proposal lies outside scope of Focused Review.

		manner.	Not clear what extra value this would add to existing processes of sustainability appraisal, statutory consultation (with all local people), and member scrutiny.
	Tendring District Council	Happy to express agreement with Colchester Borough Council with regard to the policies from its Local Development Framework that need to be reviewed in order to ensure conformity with the National Planning Policy Framework. TDC look forward to assisting with comments on proposed changes as part of the next stage of the consultation process.	Noted
Scope of Focused Review	Campaign for the Preservation of Rural Essex (CPRE)	Council urged to look both at how their plans as a whole comply and also the totality of the NPPF's policies. Concern that focusing too much on individual aspects of the NPPF could lead to a watering down of Council's overall approach towards sustainable and balanced growth.	Noted, but given that the overall focus of the NPPF is support for <i>sustainable</i> growth, ensuring compliance with it should not lead to a watering down of Colchester's approach.
	Collins and Coward on behalf of Bunting & Sons	A full review of the Local Plan should be undertaken by the Council as a result of the publication of the NPPF and revocation of the East of England Regional Plan. Other policies in addition to these listed require review. The thrust of policy needs to be rebalanced between town and country. There is no direction from the NPPF that development in the countryside should be 'small-scale'. Some logic to this approach whilst the East of England Plan was extant, but not since its revocation. Impact from development must be properly assessed. Approach that any 'adverse impact' is not acceptable is not supported in the NPPF. If any threshold is introduced it should be based on significant adverse impact that cannot be ameliorated. The NPPF does not require the 'most' sustainable location but that a site should be or capable of being made sustainable.	<p>The rationale for a Focused Review is primarily based on the need to comply with the NPPF. The Council has capacity to meet housing and employment targets in accordance with the Framework.</p> <p>The Issues and Options consultation was intended to allow respondents to raise additional issues beyond those listed.</p> <p>Overall approach on sustainable development is considered to accord with NPPF definition of presumption in favour of sustainable development.</p>
	Colne Housing	No comment is proposed for the areas which are not mentioned.	Noted

	English Heritage	Colchester has a strong policy commitment to the historic environment in its adopted Core Strategy and Development Policies documents. The evidence base in terms of analysis of the heritage assets and wider character of the Borough is strong. Present Local Plan policies considered compliant in relation to NPPF, however, consideration could be given to whether the NPPF's emphasis calls for anything further in terms of up-dating the locally held data and evidence for the historic environment to ensure that a proactive approach can be delivered. Clarity would also be helpful in defining which policies are 'strategic' to ensure that appropriate historic environment policies are in place to guide Neighbourhood Plans.	Noted. CBC will be developing further proactive policies, including guidance for conservation areas and will work closely with groups developing Neighbourhood Plans to ensure they are informed by historic environment policies. Further consideration will be given to clarifying the strategic nature of policies.
	Environment Agency	Broad agreement with the text of policies, but comments on specific policies provided. (see below)	Noted
	Essex Chambers of Commerce	Happy to support proposals contained in Focused Review documents.	Noted
	Essex County Council	ECC welcomes the initiative of Colchester BC to pursue a focused review to secure consistency of policies with NPPF. General scope and extent of the policy review is supported in advance of conclusion of the comprehensive review of the Local Plan which is underway. ECC also supports CBC initiating the process of evidence base updating and policy review to address longer range issues.	Noted
	Jean Dickinson	Disappointing that the review approach is purely in technical planning law terms. No Development Policies have been indicated as strategic or not, as defined by the NPPF. Current consultation doesn't reflect any of the radically different cultural objectives of the NPPF and the changes proposed appear to maintain and even increase the amount of CBC control over the development in this area, rather than to positively share it with competent community representatives. Supports the NPPF's more generous approach to housing, facilities and employment growth in the villages to meet the	The current review is intended to make the Council's planning policies fit for purpose for the short term, with a Full Review programmed to consider more fundamental changes. Focused Review changes are intended to reflect the NPPF's more flexible approach to growth. Further consideration will be given to clarifying the strategic nature of policies.

		<p>increasingly vibrant rural economy. CBC proposals do not reflect the spirit of the NPPF at all and seek to maintain the often reasonably challenged and overly restrictive current CBC planning policies. Rural communities should share a degree of the benefits and dis-benefits of more sub-regional growth; support a large rise in tourism; and introduce younger working families into rural areas. More flexible approach needed to growth and facilities in villages and extension to village boundaries and a presumption in favour of mandatory new footpaths and bridleways to promote connectivity between town and rural areas.</p>	<p>Myland Community Council is undertaking preparation of a Neighbourhood Plan which will allow them to develop local approaches to proposed growth for the area.</p> <p>Village boundaries will be reviewed as part of the Site Allocations process and the Full Review of the Local Plan.</p>
	<p>Joseph Greenhow, Planning Consultant</p>	<p>Age of the Development Plan is a misnomer in terms of determining the level of consistency with national policy. Concerned that scope of focused review excludes the spatial strategy, housing and employment targets and allocations. Council cannot be sure that its adopted requirements for housing and employment are consistent with NPPF policy since they were based on the now revoked East of England Plan. Updated SHMA required.</p> <p>Consultation document only summarises those policies which officers considered needed review, however, the document</p>	<p>The rationale for a Focused Review is primarily based on the need to comply with the NPPF. The Council has capacity to meet its locally agreed housing and employment targets. High levels of delivery and the continued supply of housing sites are evidenced in the Council's Housing Trajectory published each year in the Annual Monitoring Report (latest Dec. 2012). The Council is undertaking a revised SHMA in partnership with Braintree, Brentwood, Chelmsford and Maldon to inform its Full Review.</p> <p>Consultation questions made it clear that respondents could suggest further areas of review. Further development of plan and associated Sustainability Appraisal will ensure full consideration of all policies.</p>

		should summarise all adopted policies.	
	Little Horkesley Parish Council	The Planning Authority as an expert body should identify where the CBC policies are believed to be deficient with regard to the NPPF. It should NOT be the task of any respondent to undertake such an exercise of interrogation. Parish Council feels unfairly and highly constrained in how we can meaningfully respond.	Noted. The Council will hold a further round of consultation on suggested alterations to the Local Plan which will provide a clear picture of preferred changes, but the initial stage was open-ended to provide an opportunity for all aspects of the plan and the Focused Review approach to be considered.
	Maldon District Council	<p>Maldon seeks to continue its active engagement with CBC on a broad range of issues including cross-boundary planning matters and the assembly/interpretation of a strategic/cross-boundary evidence base where appropriate. Acknowledges that the purpose of the Focused Review is to review and ensure CBCs adopted policies are in line with policy requirements set out in the NPPF. Timescales for a comprehensive review of Local Plan policies should be confirmed.</p> <p>Maldon's preferred locally derived housing target is significantly greater than that set out in the now revoked East of England Plan but it currently falls short of the objectively assessed need for the District. Under the provisions of the Duty to Cooperate, the Council is exploring opportunities for meeting any unmet need beyond the district boundary.</p>	<p>Noted.</p> <p>Timescales for both the focused and full reviews of the Local Plan are set out in the LDS which has been adopted and published on the Councils website.</p> <p>The Council is undertaking a revised SHMA in partnership with Braintree, Brentwood, Chelmsford and Maldon which will inform both Colchester's Full Review and Maldon's Local Plan and approaches to housing distribution. It is premature to pre-empt the findings of this work.</p>
	Martin Robeson on behalf of Church Manor Estates	It is important that a thorough review of all relevant DPDs are carried out to ensure that the Council does not inadvertently place full weight on a policy that needs to be reviewed. It is inappropriate for Council to state that the purpose of the review is for its policy to be judged 'valid at appeal'. The purpose of the review should be to ensure the Council's policies are effectively consistent with the approach in the NPPF such that its presumption in favour of sustainable development is promoted	The Council's success in adopting planning policies and delivering growth to meet targets is testament to the effectiveness of its planning policy framework. It is not accordingly accepted that the Council's Spatial Strategy is at odds with the NPPF's focus on meeting identified local needs

		<p>locally.</p> <p>Important to deal with all policies where there are elements of inconsistency contained within them or in associated justification or guidance.</p> <p>Not safe to assume Site Allocations are immune from being inconsistent with the Framework. Many Development Policies are also not proactive enough.</p>	<p>and positively seeking opportunities to meet development needs. The Council's adopted planning policies were based on an evidence base and local circumstances that in large measure continue to ensure their continuing appropriateness, as well as the appropriateness of the overall Spatial Strategy. A limited review is accordingly considered sufficient to address clear conflicts. Given that a positive approach to development underpins the plan as a whole, it is not considered that an extensive list of policies needs to be revised to re-state that message.</p> <p>The changes proposed to the overall policies are accordingly outside the scope of the current review. Changes to reflect variations in the national approach to promoting sustainable development will be incorporated as part of the full review of the Local Plan.</p> <p>Ensuring policies are judged valid at appeal is a sign that they are consistent with the Framework – the two purposes are not at odds.</p>
	Myland Community Council	<p>CBC should make clear that the NPPF is a material consideration in planning decisions.</p> <p>The absence of policies H1 Housing Delivery and CE1 Centres and Employment is a serious omission. Policy CE1 not extended to 2023 in line with extended figures for housing delivery. An extra 1900 homes were added in the absence of evidenced need. The site for the 1900 homes is the NGAUE and this has been added to the Site Allocations DPD to cater for the 2021-</p>	<p>Point about the NPPF is agreed and will be incorporated.</p> <p>The Core Strategy adopted in 2008 provided for the allocation of housing in the NGAUE as a broad location for growth, as part of a 15 year supply (2008 – 2023). The subsequent definition of boundaries for that site in</p>

		<p>2023 extension. However, the NGAUE has been allowed to be brought forward in the original prescribed delivery period thereby displacing sites already earmarked for the 17,100 house build program up to 2021.</p> <p>The list of areas requiring amendment is not the same as the list in the Local Plan Committee Report of 11 March 2013.</p> <p>The absence of NPPF references does not facilitate cross-checking between information sources.</p>	<p>the Site Allocations document was accordingly not a new allocation.</p> <p>The consultation is part of the initial stages of developing options for the Focused Review. Consultees were made aware that the list was not conclusive and were asked to respond with all policies that they considered required review to bring the plan into conformity with the NPPF.</p> <p>As noted above, the list was an initial list of suggestions rather than a comprehensive assessment of all particular conflicts.</p>
	C. Narrainen	No changes required.	Noted
	Natural England	Generally welcome proposed policy amendments to ensure adopted policies are compliant with the NPPF.	Noted
	Strutt and Parker on behalf of Daniel Watts	<p>A more comprehensive review of the Local Plan is needed including consideration of housing/employment targets and identification of additional site allocations where necessary.</p> <p>Greater consideration should be given to the need to enhance and maintain the vitality of rural communities by increasing their levels of housing growth.</p> <p>Editing to remove revoked documents could create problems since the CS was based on figures from the East of England Plan.</p>	<p>The rationale for a Focused Review is primarily based on the need for compliance with the NPPF. The Council has capacity to meet its housing and employment targets.</p> <p>It is intended to revise policies on rural communities to provide greater flexibility for housing growth in line with the NPPF.</p> <p>Removal of references to superseded policy documents does not necessarily imply that the evidence included in them is in question, rather that they no longer form the basis for future policymaking.</p>

	Barton Willmore on behalf of Tollgate Partnership	Full review is most appropriate. A number of key policies in the Site Allocations DPD are not consistent with NPPF and should be reviewed. Age or completeness of a Development Plan is not described in para 213 of the NPPF as a reason to justify only a partial review.	A Focused Review is considered sufficient due to the Council's capacity to meet its housing and employment targets in line with NPPF requirements.
	Wivenhoe Society	Society wishes to draw attention to changes in the size of Wivenhoe's population in recent decades, rising from 2,729 in 1961 to 7,221 in 2001 and 9,827 in 2011 (excluding the University). This is a 29% rise for the 2001-11 period. The steady increase in Wivenhoe's population was not acknowledged in the 2008 Core Strategy nor has it been acknowledged in the Focused Review. While 390 houses have been built on the former Wivenhoe Port and Cook's Shipyard sites, not one of the new or improved facilities envisaged in the 2008 Core Strategy has been provided. Society views the Focused Review with profound scepticism, given the lack of delivery of a new health centre; extra school buildings and places; and the provision by CBC of a modern Community Centre. The wording provided does not indicate any new approaches for Wivenhoe or provide assurances on delivery. The commitments made in the Core Strategy of 2008 are still outstanding. This document does not indicate that they will be met in the foreseeable future.	Colchester planning policies acknowledge the demands of population growth in general and Wivenhoe in particular. Delays to infrastructure and facility delivery are considered to be primarily a function of funding and site issues rather than supportive planning policies. The policies attached to the document are the existing ones and are proposed to allow their consideration for review. The Wivenhoe Society will have the opportunity to comment on whether proposed Council alterations to the policies in the next round of consultation have addressed any of their concerns.
Spatial Strategy	Martin Robeson on behalf of Churchmanor Estates	Spatial Strategy has taken a specific 'locational approach' which has set out a range of places capable of and desirous of accommodating development or in need of redevelopment. Strategy not clearly based on objective assessment of all development needs for all types of development which then uses sequential or other assessment devices to identify a series of appropriate locations. Locational rather than needs based approach is inconsistent with NPPF approach of 'golden thread' of meeting development needs across that area. Instead CS is more fundamentally based on its concept of the Town Centre to include fringe areas and gateways.	The Council's Spatial Strategy follows on from an evidence base which quantified the need for different types of development across the borough. It is accordingly considered that it is consistent with the NPPF. The distinction between a locational and a needs based approach isn't entirely clear, given that planning deals with matching development needs with sustainable locations. Policies dealing with centres will be revised to ensure consistency of Council policies with the NPPF's definition of centres.

Sustainable Development	Collins and Coward on behalf of Bunting & Sons	SD1 – Needs revision to reflect para 28 of the NPPF to ensure jobs and employment are encouraged and located in the countryside. Wording changes suggested including allowing growth to be located in appropriate rural locations in addition to locations in accordance with the Settlement Hierarchy. Sentence directing development in Colchester Town to Town Centre and Growth Areas should be amended to read development <i>in urban area of Colchester Town</i>	SD1 will be revised to provide compliance with the NPPF, but it is still intended that it will ensure that rural growth is balanced carefully with environmental considerations.
	Environment Agency	SD1 – Wording does not entirely accord with PINs model policy on sustainable development.	Agreed – policy will be revised to incorporate model policy.
	Little Horkesley Parish Council	SD1 – LHPC supports the current policy with its particular emphasis being placed on strengthening the hierarchy protection against Little or Great Horkesley being the subject of major development. The Planning Authority should define what constitutes ‘reasonably proximate’ with regard to the need for major developments to be at/near major transport junctions. Would welcome the addition of a limiting distance along each principal road artery from Colchester Town Centre for major developments of any use (eg 5km/ 3mi along the A134 from the High Street/Town Hall) OR a defined point along such arteries.	Noted. Definition of a limiting distance considered to be too prescriptive as impacts would need to be judged based on the specifics of each case.
	Martin Robeson on behalf of Churchmanor Estates	SD1 -The policy’s use of a sequential approach to give priority to previously developed land is inconsistent with the Framework.	Para 111 of the NPPF provides that ‘planning policies and decisions should encourage the effective use of land by re-using land that has been previously developed (brownfield land), provided that it is not of high environmental value...and they may continue to consider the case for setting a locally appropriate target for the use of brownfield land.’
	Mersea Homes	SD1 -Agree the presumption in favour of sustainable development should be added, but should also be complimented with a commitment to ‘seek positively opportunities for development and approve proposals that accord with the development plan without delay.’ Policies that require phasing should be removed especially as	Policy wording will be revised in line with national guidance. Phasing is sometimes appropriate – no

		such policies do not adequately take account of the increasingly long time it takes to bring a project through to delivery.	change considered necessary.
	Myland Community Council	SD1 – Selecting SD1 solely for purposes of picking up on the ‘presumption’ extract from the NPPF runs the danger of missing changed circumstances since 2008/10 and ignores the NPPF requirement to have an up-to-date Local Plan.	Limited changes are considered sufficient to make the Local Plan fit for purpose over the short term. The LDS shows that a longer term review of the Plan is underway.
	Natural England	SD1 – Welcome inclusion in SD1 of requirements for proposals to seek to promote sustainability by minimising or mitigating pressure on natural environment.	Noted
Delivering Facilities and Infrastructure	Natural England	SD2 – Welcome requirements for new development to deliver facilities and infrastructure including open space, together with proposals to implement a Community Infrastructure Levy (CIL) to fund local and sub-regional infrastructure. Policies should also ensure that development contributes net gain for biodiversity, protects and enhances landscape, soils, geodiversity, access including Public Rights of Way, protected species and ecological networks in order to comply with the NPPF.	Noted. It is considered that CBC policies, in tandem with national policies, provide adequate coverage on the areas mentioned.
	Martin Robeson on behalf of Churchmanor Estates	SD2 - Policy is currently inconsistent with the approach set out in the Framework and in the Regulations that support CIL.	Agreed that the policy requires revision to comply with latest national policy.
	Jean Dickinson	SD2 – Redefine the term ‘community needs’. NPPF is clear there should be a proportionate degree of benefit between the directly affected communities and the borough, on an agreed level within policy documents before planning applications are submitted.	CIL regulations provide mechanisms for directing strategic infrastructure. Local areas such as Myland which develop a Neighbourhood Plan will be entitled to higher shares of CIL funds.
	Environment Agency	SD2 – Needs to include reference to waste water treatment plant and supporting sewer network since there may be instances where developers may be required to make contributions to such infrastructure.	Agreed.
	Little Horkesley Parish Council	SD2, SD3, DP3 – LHPC supports the current policy on the principle that developers should pay for community/infrastructure costs which are due to their	The Council intends to consult on a draft Community Infrastructure Levy Charging Schedule at the same time it

		developments but reserves comment until the scale of proposed charges is made known. LHPC would be interested to know how the scale of charges accommodates development at the small scale (eg house extensions), the level most applicable to our parishioners.	consults on the Submission version of the Focused Review. Contributions would be required for developments above a threshold of 100 sq m so a house extension would not normally be liable for CIL.
Community Facilities	Colne Housing	SD3 – Table SD3 Delivery of Key Community Facilities is out of date and in need of updating.	Agreed, but revision will be part of Full Review.
	Jean Dickinson	SD3 – Add statement that local community organisations will jointly work with CBC to resource, procure, plan and manage services and/or facilities for their communities. The list of Community Facilities (Table SD3) should be updated and analysed in terms of potential funding sources and providing authority. Indicative table supplied.	The policy already states that CBC will work with partners to deliver key community facilities. All the lists of infrastructure within the Core Strategy will be updated as part of the Full Review given that they will need to relate to proposals that extend into the post-2021 period.
Centres and Employment	GL Hearn on behalf of Culver Square leaseholders PRUPIM	CE1 – Have reviewed Council Local Development Framework documents to identify whether policies are up-to-date, appropriate and comply with the NPPF. Reference to PPS6 on pg. 40 is out of date, changes should be made to CE1 so that retail planning policy definitions are consistent with the NPPF.	Agreed
	Martin Robeson on behalf of Churchmanor Estates	CE1 -Concern arises from the 'locational' focus of the Core Strategy. Framework requires development needs to be planned positively. In this regard, paras 2 and 3 are incompatible with the NPPF.	Policies are considered to be positive, but agreed that some revision is required to ensure NPPF definition of centres is reflected.
	Barton Willmore on behalf of Tollgate Partnership	CE1 and CE2 – Retail and employment use policies require assessment in light of NPPF (paras 23-27 and also 150 - 158 in terms of plan-making). Edge of centre locations definition as a centre type not consistent with NPPF definitions of town centre and edge of centre. SA TC1 and SA STA3 also need review.	Agreed that Core Strategy and Development Policy retail policies require amendment to accord with NPPF definition of centres. Site Allocations policies, however, are not considered to require review since the only area of potential conflict is the retail aspects of NGA3 (North Growth Area Employment) and STA3 (Stanway

			Employment). Revised policies will note they supersede these aspects of NGA3 and STA3. TC1 is not considered to conflict with the NPPF.
	Collins and Coward on behalf of Bunting & Sons	<p>CE policies - The very limited review suggested by the Council does not meet the requirements to ensure compliance with the NPPF and revocation of the Regional Plan. Wording changes provided as follows:</p> <ul style="list-style-type: none"> - add support for rural employment, tourism and leisure developments. - larger scale development should be focused on rural locations as well as the Town Centre, Urban Gateways and Strategic Employment Sites. - references to rural development being acceptable if small scale should be removed. 	Agreed that some review of Centres and Employment policies will be required to bring them into accord with the NPPF but not necessarily all the wording proposed here.
	Martin Robeson on behalf of Churchmanor Estates	CE2 -Mixed Use Centres- Concerns follow from those relating to the Spatial Strategy and CE1. Locational factors are primarily directing the accommodated of needs rather than the identification of the full scale of needs that are then directing the identification of sites to best accommodate them.	As noted above, it is considered reasonable for locational considerations such as access, infrastructure and sustainability to inform spatial strategies and preferred locations for different types of development.
	Martin Robeson on behalf of Churchmanor Estates	CE2a -Approach is again locationally led rather than focusing on the identification of the full development needs of the area. In this regard, the sequential approach does not give 'priority to the regeneration of the town centre'. NPPF makes it clear that such an approach provides a series of preferences in the accommodation of development across specific classes of location.	Para 23 of the NPPF provides that policies should 'recognise town centres as the heart of their communities and pursue policies to support their viability and vitality.' as well as to 'define a network and hierarchy of centres that is resilient to anticipated future economic changes'
	Martin Robeson on behalf of Churchmanor Estates	CE2b – District Centres -Policy driven by the identification of place rather than seeking to accommodate needs within it. Approach would then seek to accommodate needs around it in terms of edge of centre locations. Policy currently explains that expansion of urban district centres will not be supported, which is not NPPF consistent.	The policy is not considered to be deficient in its overall approach, but agreed that some revision is required to ensure NPPF definition of centres is reflected.

	Martin Robeson on behalf of Churchmanor Estates	CE3 – Employment Zones - Policy is too locationally specific to be in conformity with the NPPF. Policy should plan positively to provide land for employment purposes and then set out a regime for accommodating this by appropriate locations using criteria. Negative approach to other uses within employment zones is inconsistent with that set out in the Framework.	The policy is not considered to be deficient in its overall approach, but agreed that some revision is required to introduce greater flexibility in employment zones.
Housing	Jean Dickinson	CBC should introduce an additional policy, within the diversity context for housing, as a separate requirement for all the 6 forms of elderly housing supply. Colchester perfectly placed to be leading the way in the UK in facilitating a neighbourhood based care and affordable accommodation policy ensuring that land is made available at a fixed ratio.	Lies outside the scope of this Focused Review. Council's approach to elderly housing will be considered through the Strategic Housing Market Assessment, Housing Strategy, and Full Review.
	Martin Robeson on behalf of Churchmanor Estates	H1 - NPPF doesn't set a target for housing on previously developed land, since overly prescriptive approach is not encouraged.	Agreed that policy is moving away from specific targets, so the current policy will be assessed to determine if 'seek to provide' adds sufficient flexibility. Para 111 of the NPPF states that LA's 'may continue to consider the case for setting a locally appropriate target for the use of brownfield land'
	Colne Housing	H2 - Only moderate and low densities are appropriate for Colchester.	Guidance on density will be reviewed to ensure it complies with national guidance.
	Campaign for the Preservation of Rural Essex (CPRE)	H2 – Prefer to see a density range being included and note NPPF para 59 specifically mentions density as being an appropriate topic for inclusion in design policies.	Guidance on density will be reviewed to ensure it complies with national guidance.
	Mersea Homes	H2 – Housing density policy needs amendment as they are currently recommended at too high a level. Deletion of Table H2a and H3a supported.	Guidance on density will be reviewed to ensure it complies with national guidance.
	Myland CC	H3 – Exclusion of review of H3 misses the opportunity to address the urgent issue of suitable home provision for the increasing elderly population.	Lies outside the scope of a limited review. Council's approach to elderly housing will be considered through the Strategic Housing Market Assessment, Housing Strategy, and Full Review.

	Colne Housing	H4 – Council’s recognition of the severe need and demand for affordable housing is very welcome.	Noted
	Campaign for the Preservation of Rural Essex (CPRE)	<p>H4 – Accept that some flexibility is desirable, but it has to be recognised that the housing market will be subject to short term fluctuations and there is danger that the understandable desire to see sites come forward in a timely manner could compromise the equally important goal of providing adequate affordable housing. If agreements are to be relaxed, affordable housing requirements should be one of the last matters to be reduced.</p> <p>Accept that NPPF has undermined previous policies not to permit market housing as a cross subsidy for social housing. Any new wording needs to be very carefully phrased otherwise there is a danger that such arrangements will become the norm. As soon as the Council allows cross subsidy arrangements, it is hard to see any landowner being willing to put their land forward on any other basis.</p>	<p>Noted</p> <p>Noted</p>
	Jean Dickinson	<p>H4 – Disagree with CBC statement that the deliverability of the affordable housing set in the Local Plan, relates to the level of the standing charge set by the CIL Charging Schedule and see this as a narrow approach to what is clearly an urgent and important issue. New housing is not the critical need at this time due to affordability constraints. Minimum levels of affordable housing needed now cannot happen due to the housing policy introduced in boom times.</p> <p>A new policy commitment should be made to provide 2500-3000 affordable homes by 2015/16 by –</p> <ul style="list-style-type: none"> • Identifying and reserving public land assets • Undertaking detailed research, for elderly housing models appropriate to Colchester • Setting up flexible funding and procurement models, in collaboration with developers, Housing Associations and local communities. 	<p>Council policies on affordable housing seek to strike a balance between the deliverability of sites and the need to provide affordable units. CIL charges will need to reflect other policies.</p> <p>CBC works actively with housing associations and developers to maximise options for delivering affordable housing.</p>

	Little Horkesley Parish Council	H4 – LHPC supports the current policy as the Borough is still severely short of affordable housing and average house prices continue to exceed borrowing capabilities of many parts of society.	Noted
	Mersea Homes	H4 – Agree that affordable housing policy needs review along with updated evidence base that looks at the issue holistically. 35% affordable housing is too high to be deliverable in the majority of cases. Viability needs to be reviewed based on all current and emerging policies and set at a level that does not harm the deliverability of planned growth. As affordable housing is so important it may be prudent to test other obligations so that the level of AH is preserved as high as possible.	Noted
	Strutt and Parker on behalf of D. Watts	H4 - welcome review of relevant Local Plan policies to allow for market housing to support the delivery of affordable housing on rural exception sites. NPPF does not necessarily specify that the amount housing needs to be 'limited' as long as it would still help deliver a significant level of additional affordable housing. Proposed wording provided providing that rural exception sites may include market housing where this would allow for the provision of significant affordable housing in order to meet local needs.	Wording will be revised to comply with NPPF policy, while ensuring the primacy of providing affordable housing on rural exception sites.
Transport	Martin Robeson on behalf of Churchmanor Estates	TA1 - NPPF is more pro-active – 3 rd para of policy, including a focus on highly accessible locations and a prescription against developments that are car-dependent or promote unsustainable travel behaviour will not be supported, is not consistent with para 34.	Para 34 of the NPPF provides that 'plans and decisions should ensure developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised'. The objective of this paragraph is considered to be reflected in Policy TA1.
	Martin Robeson on behalf of Churchmanor Estates	TA4 – Para 32 of the NPPF provides that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development area 'severe'. TA4 isn't consistent with this broader approach nor is it consistent in its specific provision that car travel should be 'managed to	It is not considered that the policy conflicts with the NPPF which talks about maximising sustainable transport modes, encouraging solutions that reduce congestion, etc

		prevent adverse impacts’.	
	Martin Robeson on behalf of Churchmanor Estates	TA5 - Approach is unduly prescriptive, ie text in 3 rd para as to where car parking should be located.	Policy guidance is not unduly prescriptive given that it would be balanced with other material considerations.
Environment	Collins and Coward on behalf of Bunting & Sons	<p>ENV1 – Policy needs to reflect paras 28 and 116 of the NPPF to ensure appropriate development in the countryside and AONBs. The following amendments are proposed:</p> <ul style="list-style-type: none"> • Qualify protection for Natura 2000 sites and Dedham Vale AONB by providing that major developments that have a significant adverse impact will not be supported unless they can be demonstrated to be in the public interest. • Coastal Protection Belt - proposed development should not have a <i>significant</i> adverse effect. • Delete reference to PPS25. • Land outside settlement boundaries should have less strict constraints on development if in accordance with other policies. 	<p>Proposed wording by respondent considered to retain insufficient protection for countryside assets and amenity.</p> <p>Agreed that the reference to PPS25 should be changed to ‘NPPF Technical Guidance’.</p>
	Collins and Coward on behalf of Bunting & Sons	ENV2 – Policy needs to reflect para 28 of the NPPF to ensure jobs and employment are encouraged and located in the countryside. Wording changes proposed which would delete references to small scale and limitations on development outside village settlement boundaries. First sentence should be amended to read: The Borough Council will enhance the vitality of rural communities by supporting appropriate development <i>including the expansion of all types of business and enterprise through both conversion of buildings and well-designed new buildings, the promotion and diversification of agriculture and other land-based rural businesses, sustainable tourism and leisure that benefits businesses in the rural area, communities and visitors, and the retention and development of local services in villages.</i>	Proposed wording considered to retain insufficient protection for countryside assets and amenity, since NPPF supports conserving and enhancing the natural environment in addition to supporting a prosperous rural economy.
	Jean Dickinson	ENV2 – The NPPF supports the relaxation of tight controls on village envelopes.	Policies on rural growth will be reviewed to ensure compliance with the NPPF.

	Little Horkesley Parish Council	ENV2 -LHPC supports the current policy as it enables small scale development in rural villages, including rural business, but only within our tight settlement boundary.	Noted
	Strutt and Parker on behalf of D. Watts	ENV2 – Colchester’s policies have focused growth on urban areas and restricted growth in larger sustainable villages such as Layer de la Haye. Opportunities to allow for sustainable growth to help enhance village vitality should be considered as part of Focused Review. The adoption of appropriate policies would allow for suitable sustainable sites such as our clients’ land in Layer-de-la-Haye to come forward through planning applications. Proposed wording provided noting that rural exception sites may include market housing where this would allow for significant affordable housing.	Wording will be revised to comply with NPPF policy, while ensuring the primacy of providing affordable housing on rural exception sites.
	Campaign for the Preservation of Rural Essex (CPRE)	ENV2 -Accept that NPPF has undermined previous policies not to permit market housing as a cross subsidy for social housing. Any new wording needs to be very carefully phrased otherwise there is a danger that such arrangements will become the norm. As soon as the Council allows cross subsidy arrangements, hard to see any landowner being willing to put their land forward on any other basis.	Revised policy is intended to retain the focus on affordable housing for rural exception sites.
	Marine Management Organisation	No comments raised with regards to the scope of the Focused Review, but response has highlighted the work and remit of the Marine Management Organisation.	Noted
Energy	Environment Agency	ER1 – Incorporate references to third, fourth and fifth bullet points of para 97 of NPPF which make reference to the identification in plans of suitable areas for renewable and low carbon energy and identification of opportunities where developments can draw its energy supply from decentralised, renewable or low carbon supply systems.	Agreed some revision may be needed to ER1, but full analysis of opportunities for renewable energy will form part of the evidence base process for the Full Review.
Other	Mersea Homes	Chapter 6 Implementation and Monitoring – Working in Partnership section should be updated to reflect Duty to Co-operate with statutory consultees. Housing Delivery section needs review as it refers to the superseded PPS3 and does not take into account of NPPF	Agreed.

		requirement to increase supply.	
DEVELOPMENT POLICIES			
Design and Amenity	Environment Agency	DP1- amend to make reference to the requirement under 2 nd bullet point of para 96 of NPPF for new development to take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.	Agreed
Health Assessments	Martin Robeson on behalf of Churchmanor Estates	DP1 -Positive approach in Framework – ie planning seeks to optimise the potential of the site to accommodate development. DP1 inconsistent with this.	Requiring high quality development is considered consistent with having a positive approach to sustainable development.
	Martin Robeson on behalf of Churchmanor Estates	DP2 inconsistent with paras 69-78	Policy will be reviewed further for consistency, but considered to be in general accord with the NPPF objective of creating health, inclusive communities and creating a shared vision with communities of the residential environment and facilities they wish to see.
Planning Obligations and the Community Infrastructure Levy	Martin Robeson on behalf of Churchmanor Estates	DP3 inconsistent with the Framework.	Agreed that the policy requires revision to comply with latest national policy.
	Environment Agency	DP3 - No comments on wording, but would recommend holding discussions with Essex Partnership and Strategic Overview team on drainage and flood mitigation schemes.	Noted
	Mersea Homes	DP3 – Look forward to seeing the structure of revised CIL/planning obligation guidance as it is a critical issue that needs careful consideration.	Noted

Employment	Allies and Morrison on behalf of CBC as landowner	DP5 – Proposal to amend the wording of DP5 is welcomed. Some allocated sites are unlikely to be required for employment use and some locations may be suitable for other forms of development. Northern Farmlands east of the football stadium can accommodate both new employment space and development which includes elements of sport, leisure, retail and housing. The potential for leisure and recreation facilities which relate to and extend the existing sporting activities is a unique opportunity for Colchester which should transcend the existing rigid employment designation. DP5 can be further expanded to include outdoor recreation and leisure.	Agreed that review of Centres and Employment policies is required to ensure compliance with NPPF by provision of greater flexibility for different types of employment-creating development.
	RPS on behalf of Costco	DP5 - Criteria (a) Policy DP5 should be amended to include provision for sui generis uses that are closely related to B1, B2 and B8 uses to cater for emerging sectors, ie Costco member warehouse clubs. NPPF provides emphasis that local authorities should not be overly prescriptive regarding specific uses and should be seeking to positively promote economic growth.	Sui generis uses are already listed as secondary uses for Mixed use Centres and Employment Zones in Core Strategy Table CE1b.
	Barton Willmore on behalf of Tollgate Partnership	DP5 – Requires review in light of NPPF para 22 and to avoid the long term protection of sites allocated for employment where there is no reasonable prospect of that use coming forward. Same principle should be applied to CE3 and SA STA3. DP6 and DP7 -Retail policies require assessment in light of NPPF (paras 23-27 and also 150-158 in terms of plan-making).	Agreed that DP5 and CE3 require review to comply with the NPPF. Site Allocations policies, however, are not considered to require review since the only area of potential conflict is the retail aspects of NGA3 (North Growth Area Employment) and STA3 (Stanway Employment). Revised policies will note they supersede these aspects of NGA3 and STA3. DP6 (Town Centre Uses) and DP7 (Local Centres) will be reviewed as part of the Full Review.

	Campaign for the Preservation of Rural Essex (CPRE)	DP5 – Raises similar issues in respect of market fluctuations as relaxing affordable housing requirements. Important to ensure balanced communities and land allocated for employment should not be lightly released, unless it is unlikely the land would ever come forward. Marketing exercises can only ever reflect current market conditions.	Noted
	Collins and Coward on behalf of Bunting & Sons	DP5 – Policy needs to reflect para 28 of the NPPF to ensure jobs and employment are encouraged and located in the countryside. Sentence providing that ‘rural business and tourism will be acceptable in the countryside’ should be added.	Appropriate to include criteria for the location of rural business and tourism since NPPF supports conserving and enhancing the natural environment in addition to supporting a prosperous rural economy.
	Jean Dickinson	DP5 – New clause requested – the Council will ensure that the employment area ‘land bank’ within the 2008 Core Strategy is not compromised by the relocation of businesses, where there is no significant increase in the number employed, by giving any planning approval to the applicant’s original premises for non-employment purposes.	The NPPF requires that planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose.
	Martin Robeson on behalf of Churchmanor Estates	DP5 -Policy is inconsistent with the Framework ie protecting the status quo and imposing unacceptable and inappropriate burdens on the developer in respect of proposed marketing and in seeking alternative provision to compensate for the loss of existing land.	Review will cover all aspects of the policy.
	Martin Robeson on behalf of Churchmanor Estates	DP7 - Framework does not give protection to local shops that are not identified as centres in Local Plans. In addition, ‘scale’ is no longer a retail impact test in the NPPF.	The NPPF does not prevent the safeguarding of individual shop units; therefore, the protection afforded to individual shop units, within Policy DP7, does not conflict with the NPPF. The Policy is clear that the requirement to retain the A1 use is on the basis that it is viable to do so; where it is not viable to preserve the A1 use, other uses will be considered; consistent with the NPPF.

			While paragraph 26 of the NPPF does not make specific reference to 'scale', scale will inevitably be a factor in the impact of a development, and remains a valid planning consideration
	Collins and Coward on behalf of Bunting & Sons	DP8 (Agricultural development and Diversity) – Policy needs to reflect para 28 of the NPPF to ensure jobs and employment are encouraged and located in the countryside. Wording changes supplied that removes criteria to constrain farm diversification proposals.	Proposed wording considered to retain insufficient protection for countryside assets and amenity.
	Campaign for the Preservation of Rural Essex (CPRE)	DP9 (Employment Uses in Countryside) – Para 28 of NPPF talks about 'all types' of employment, and given statements elsewhere on the value of the countryside, it would seem reasonable to have a policy limiting the size of rural enterprises to being appropriate in terms of the character of the countryside and the impact of the business on the local environment in respect of traffic etc.	Noted.
	Collins and Coward on behalf Bunting & Sons	DP9 – Policy needs to reflect para 28 of the NPPF to ensure jobs and employment are encouraged and located in the countryside. Policy should be reworded to delete references to small scale and criteria for particular types of rural employment proposals.	Appropriate to include criteria for the scale, type and extent of rural commercial buildings since NPPF supports conserving and enhancing the natural environment in addition to supporting a prosperous rural economy.
	Jean Dickinson	DP9 – Remove requirement that rural employment proposals will only be supported in 'exceptional' cases.	Proposed wording considered to retain insufficient protection for countryside assets and amenity.
	Little Horkesley Parish Council	DP9 – LHPC supports the existing policy as it supports rural small scale business as long as harm is not done to rural character.	Noted.
	Martin Robeson on behalf of Churchmanor Estates	DP9 -Approach not in accordance with NPPF para 28 which sets out a more positive policy.	Agreed that policy requires review to ensure consistency with the NPPF.
	Collins and Coward on behalf of Bunting &	DP10 (Tourism, Leisure and Culture) – Needs to reflect para 28 of the NPPF to ensure jobs and employment are encouraged	Proposed wording considered to retain insufficient protection for countryside

	Sons	and located in the countryside. Wording suggested that deletes criteria constraining new tourism, leisure and culture developments.	assets and amenity.
	Campaign for the Preservation of Rural Essex (CPRE)	DP12 (Dwelling Standards) – accept there is a need for criteria in DP12 to address issue of residential conversions. Should be based around the principles of sustainable development with a cautious approach to residential conversions outside settlement boundaries unless there are clear benefits to safeguarding a building of value or a residence is considered essential for a rural business.	Noted
	Jean Dickinson	DP 13 (Dwelling Alterations, Extensions and Replacement Dwellings) Policy should state precisely which extensions and alterations require permission or give a better link.	Policy continues to change in this area, so a definitive list is likely to become out of date. The link provided to the Government's Planning Portal is considered to provide the most authoritative source of advice.
	Little Horkesley Parish Council	DP13 – LHPC supports the existing policy as it places defined limitations on alterations, extensions and replacement of dwellings, albeit larger extensions may soon be permitted development if Parliament so decides.	Noted
	Robinson and Hall Land and Property Consultants	DP13 - Fails to comply with paras 51 & 55 of NPPF which offers a strong presumption towards re-use of commercial buildings for residential purposes whereas CBC policy retains total embargo. Policy is too restrictive in respect of extensions and replacement dwellings within the rural areas contrary to paras 50 & 55 of NPPF which indicate a desire to provide housing for all elements of the community. Aspirational housing is entirely excluded together with the government's presumption to allow homeowners the ability to extend their properties. Policy is too prescriptive towards design which is contrary to para 60 of NPPF	Policy review will seek to ensure an appropriate balance between providing greater flexibility as required by the NPPF and protecting/enhancing the countryside.
	Collins and Coward on behalf of Bunting & Sons	DP14 (Historic Environmental Assets) – Policy needs to reflect Section 12 of the NPPF. Wording change proposed to insert 'significantly' in front of 'adversely affect a listed building, a conservation area, historic park or garden or important	Changes to ensure policy on historic environment assets is compliant with the NPPF will be considered, but it is noted that the NPPF uses the term

		archaeological remains'.	'significant' to relate to the importance of assets and not to issues of harm.
	Collins and Coward on behalf of Bunting & Sons	DP17 (Accessibility and Access) – Policy needs to reflect Section 4 of the NPPF. Wording proposed to remove requirement to give priority to pedestrian cycling and public transport access. Access and any traffic generated should not 'significantly' rather than 'unreasonably' harm the surroundings.	Policy is not considered to require revision as it assigns appropriate weight to transport considerations and accords with NPPF.
	Martin Robeson on behalf of Churchmanor Estates	DP17 -Approach is inconsistent with paras 29-41 of NPPF. In particular, para 32 makes it clear that development will only be resisted where there will be 'severe' impacts.	Policy and explanatory text will be examined as part of Focused Review to ensure consistency with the NPPF
	Martin Robeson on behalf of Churchmanor Estates	DP19 - Approach is inconsistent with para 39 of the NPPF, including reference to local planning authorities taking account of local car ownership levels in setting local parking standards.	Policy is considered to reflect local car ownership levels, since the 2009 adopted Vehicle Parking Standards were revised to provide more capacity for residential parking in light of parking shortages on new developments in the borough resulting from the previous more restrictive approach. While Colchester households have slightly lower than average car or van access, compared to Essex, access figures are in line with overall averages for England and Wales. This accordingly does not support locally-specific parking policies on the basis of unique car ownership characteristics.
	Martin Robeson on behalf of Churchmanor Estates	DP20 - NPPF paras 99-104 changes the emphasis to 'avoid' areas where development will be at risk of flooding, which is generally more positive and less prescriptive than DP20.	<p>The NPPF (para's 99 -104 and the Technical Guidance) and development policy DP20 are considered to be consistent. Both emphasise the need to direct development to lowest flood risk areas, and promote the use of SUDS to management run off.</p> <p>The policy requires rewording to remove all references to PPS25 and replace them with reference to the NPPF and</p>

			EA standing advice about flood risk for accuracy and consistency.
	Martin Robeson on behalf of Churchmanor Estates	DP21 -Policy is inconsistent with para 188 of the NPPF which has a much more positive approach to the subject matter	Policy DP21 is considered to be on the whole consistent with the objectives of the NPPF but will be updated to recognise the opportunity to designate new Nature Improvement Areas which were introduced through the NPPF.
	Collins and Coward on behalf of Bunting & Sons	DP21 (Nature Conservation and Protected Lanes) – Policy needs to reflect the original basis for the designation of Protected Lanes. Wording proposed to remove ‘only’ – development will only be supported where it meets a range of criteria. Proposals for development that would cause direct or indirect significant adverse harm to designated sites should only not be permitted if the harm is ‘significant’. Wording on Protected Lanes should be deleted.	Policy is not considered to require revision as it assigns appropriate weight to relevant environmental considerations and accords with NPPF.
	Collins and Coward on behalf of Bunting & Sons	DP22 (Dedham Vale AONB) – Policy needs to reflect Section 11 of the NPPF. Wording changes proposed to lessen constraints on development in the Dedham Vale AONB, including requiring that adverse affects be ‘significant’, and by deleting reference to the Dedham Vale AONB & Stour Valley Management Plan.	Policy is not considered to require revision as it assigns appropriate weight to relevant environmental considerations.
	Campaign for the Preservation of Rural Essex (CPRE)	DP24 (Equestrian Activities) – Recognise the difficulty that the NPPF (as interpreted by one Inspector it should be emphasised) creates for the Council. The policy was not wholly compliant with PPS7 but was still allowed to remain following examination by another Inspector. Guidance in para 55 of the NPPF is very general. Equestrian activities have a significant impact on the rural landscape, in many instances for the worse, and impact on rural roads, again usually for the worse. It seems proper to have a policy dealing with this type of activity that balances the legitimate needs of the industry with wider countryside concerns.	Policy review will seek to ensure an appropriate balance between providing greater flexibility as required by the NPPF and protecting/enhancing the countryside.
	Collins and Coward on behalf of Bunting & Sons	DP24 – Policy needs to reflect para 28 of the NPPF to ensure jobs and employment are encouraged and located in the countryside. Policy should be amended to simply state that planning permission will be supported for equestrian related	Policy review will seek to ensure an appropriate balance between providing greater flexibility as required by the NPPF and protecting/enhancing the

		development, with all criteria for judging proposals to be deleted.	countryside.
		DP23 - Policy is inconsistent with the approach in paras 105-108 of the NPPF.	Policy DP21 will be updated to reflect that 4 sections of the coastline in the Borough have been identified as preferred managed realignment sites within the plan period. Reference to these as Coastal Change Management Areas would bring the policy into conformity with the NPPF.
	Jean Dickinson	DP24 – Policy should be revised to permit equestrian related development if it can be demonstrated that the proposal ‘will comply with other policies such as local tourism, agricultural/scientific research facility, or other equestrian based rural enterprise’.	Policy review will seek to ensure an appropriate balance between providing greater flexibility as required by the NPPF and protecting/enhancing the countryside.
	Robinson and Hall Land and Property Consultants	DP24 - Policy only refers to equestrian needs whereas para 55 of the NPPF makes no such qualification. Other rural workers should also be included.	Policy review will seek to ensure an appropriate balance between providing greater flexibility as required by the NPPF and protecting/enhancing the countryside.
Sustainability Appraisal and Habitats Regulation Assessment	Environment Agency	<p>Questions 2 & 3 omitted in the SA. EA identified a number of additional documents for use in the next SA stages:</p> <p>Anglia River Basin Management Plan (ARBMP) (2009)</p> <p>Combined Essex Catchment Abstraction Management Strategy (CECAMS) (2013)</p> <p>North Essex Catchment Flood Management Plan</p> <p>ARBMP and CECAMS will provide current data about water quality and water availability. Up to date Water quality data available since publication of the ARBMP in 2009 is available from corporate.services@environment-agency.gov.uk</p>	<p>Questions 2 & 3 were omitted by accident but this will not undermine the intent of the Scoping Report.</p> <p>Availability of documents noted for use in preparation of Focused Review of Local Plan and SA</p>

	Essex County Council	<p>ECC generally supportive of the approach adopted to updating SA.</p> <p>Suggested changes include:</p> <ul style="list-style-type: none"> • Adding PPS10 Sustainable Waste Management to table 2 • Removing PPS1 Planning and Climate Change, PPS25 Supplement Development and Coastal Change (Practice Guide (2010), PPS25 Supplement: Development and Flood Risk (Practice Guide (2009) and PPS22 Planning for Renewable Energy a Companion Guide (2004) <p>Suggested amendments to SA framework –</p> <ul style="list-style-type: none"> • Objective 7 – amend to include archaeology in light of Colchester’s rich archaeological heritage • Objective 8 - amend to include reference to brownfield sites to acknowledge their potential high biodiversity value. 	Proposed changes noted.
	Jean Dickinson	Proposes establishing an independent panel of local experts with economic, social and environmental information expertise as a planning consultee	The Sustainability Appraisal process follows current best practice. Not clear what extra value this panel would add to existing processes of sustainability appraisal, statutory consultation, and member scrutiny.
	Myland Community Council	<p>Combining the SEA/SA potentially dilutes scope to have high regard for the protection of the environment as part of sustainable development.</p> <p>Supportive of review of policies SD2, SD3, H4, ENV2 and DP24.</p> <p>Suggest the inclusion of wording about ‘The presumption in favour of Sustainable Development is used out of context.</p>	<p>Combining SEA/SA processes as part of the SA process follows best practice. As part of this a process gives equal weighting to economic, social and environmental issues</p> <p>The text re ‘The Presumption in favour of sustainable development is taken from the NPPF.</p>

		<p>Proposal that policies ENV1, PR1, DP20, DP 10, DP16 should also be reviewed to ensure that climate change and environmental protection policies (brownfield sites) are properly considered.</p> <p>Generally Focused Review of the Local Plan places too much emphasis on house building and employment and not enough emphasis at the expense of other issues e.g. role of Colchester as an important tourist destination. Concern the Local Plan will become a developers charter</p>	<p>ENV1, PR1, DP20, DP 10, DP16 are currently considered to be in conformity with the NPPF. They will be reviewed as part of full Local Plan review.</p> <p>Only those policies not considered to be in conformity with the NPPF need to be reviewed. The remaining unchanged policies still form part of the Borough's Local Plan.</p>
	Natural England	<p>Generally satisfied that the SA Scoping Report addresses the key sustainability issues to be addressed to satisfy NPPF. Changes to SA indicators Objective 8 are recommended to ensure that the impacts of policy changes for rural housing and employment can be assessed more rigorously. Mitigation measures to be explored. The HRA Screening Report identifies that changes could have an impact, but evidence is needed. CBC should provide additional details on monitoring and mitigation to ensure that impacts are not significant.</p>	<p>Noted. Impacts of housing policies already monitored through the HRA monitoring programme. This involves gathering baseline data on current levels of use which can be used to monitor the impact of growth over time.</p>